

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

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|---------------------------|---|------------------|
| WILLIAM DEAN ANDERSON, | } | |
| | } | |
| Plaintiff, | } | |
| | } | |
| v. | } | CIVIL ACTION NO. |
| | } | 2:14-cv-1182-WMA |
| | } | |
| UNITED STATES OF AMERICA, | } | |
| | } | |
| Defendant. | } | |

MEMORANDUM OPINION AND ORDER

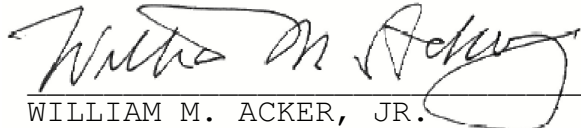
What was said and done on January 27, 2015, in the abortive status and scheduling conference that had been set for 10:30 a.m. on that date, is reflected in the transcript of the proceedings prepared by the court reporter and filed with the Clerk. It need not here be repeated. The only salient facts not reflected in the said transcript are (1) that at 11:55 a.m. on January 27, 2015, after counsel for defendant had been excused, Robert Thompson, who, for some unexplained reason, had gone to the courtroom of Honorable Sharon Lovelace Blackburn instead of to the chambers of this court, appeared at this court's chambers and was told that an order was being prepared; (2) that defendant has now formally notified the court that it does not seek compensation for its attorney's time in preparing for and attending the abortive hearing; and (3) that plaintiff has filed a notice of intent to do certain things within 21 days.

Implicit in what this court said on the record on January 27, 2015, is its finding that the failure of all three attorneys

appearing for plaintiff, to appear for the status and scheduling conference without seeking a continuance or providing a reasonable excuse for their absence, constitutes sanctionable conduct. Mr. Thompson, even if he had shown up at the scheduled hour, is not an attorney-of-record for plaintiff. Under the circumstances, counsel for plaintiff are hereby ORDERED **within seven (7) days** to pay to the Clerk the sum of \$500.00 as an appropriate sanction.

The status and scheduling conference that was aborted on January 27, 2015, is hereby RESCHEDULED for **10:30 a.m., February 11, 2015 in chambers**. A court reporter shall be present. If, before that time, the parties can mutually agree on a proposed schedule pursuant to Rule 26, they shall bring their proposal to the conference.

DONE this 2nd day of February, 2015.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE